

Contra Costa County  
**Public Works**  
D e p a r t m e n t

Julia R. Bueren, Director

Deputy Directors

R. Mitch Avalon • Brian M. Balbas

Stephen Kowalewski • Patricia McNamee

May 15, 2008

Mrs. Delores Brown, Chief, Office of Environmental Compliance  
Department of Water Resources  
P.O. Box 942836  
Sacramento, CA 94236

RE: Response to the Notice of Preparation  
for EIR & EIS for the Bay Delta Conservation Plan

Dear Mrs. Brown

We are writing in response to the Notice of Preparation (NOP) for the Environmental Impact Report and Environmental Impact Statement (EIR & EIS) for the Bay Delta Conservation Plan (BDCP) dated March 17, 2008. Thank you for the opportunity to provide comments on this critical document.

The Contra Costa County Public Works Department (PWD) strongly supports the efforts to balance the needs for a reliable water supply and a sustainable Delta ecosystem. However, we are particularly concerned that any water conveyance system that bypasses the Delta may have significant adverse impacts on Contra Costa County (CCC), as well as the downstream portions of the Delta (and the Bays).

This letter will highlight our concerns with regards to the possible impacts to health and safety of the residents, property, and natural systems in CCC, as well as compliance with our National Pollution Discharge Elimination System (NPDES) Permit and the County's Floodplain Management Program. We request that these issues be addressed in the EIR & EIS.

**Decreased Water Quality in Receiving Waters:**

The proposed "re-plumbing" of the Delta will likely result in Sacramento River water being diverted, with less water reaching the western portion of the Delta, and a reduced amount of Sacramento River water passing through CCC (at least during non-storm events). This will increase the proportional contribution of the San Joaquin River's water to the western Delta (relative to Sacramento River water). Since the Sacramento River generally has a higher water quality (i.e. lower pollutant levels) than the San Joaquin River, the quality of water passing through the Delta and into San Pablo Bay (CCC's receiving waters) will be lower and will contain higher levels of pollutants.

---

*"Accredited by the American Public Works Association"*

255 Glacier Drive Martinez, CA 94553-4825

TEL: (925) 313-2000 • FAX: (925) 313-2333

[www.cccpublicworks.org](http://www.cccpublicworks.org)

A reduction in the quality of water entering the western Delta will most likely affect the County's NPDES permit and Total Maximum Daily Load (TMDL) requirements by resulting in increased water quality standards for water discharged from CCC's creeks and storm drain

systems to the receiving waters of the Delta and San Pablo Bay. The PWD requests that the EIS & EIR examine the relationships between flows into the western portion of the Delta and potential effects on water quality (and subsequent regulatory implications) when analyzing any alternatives involving bypassing/diverting flows from the Sacramento River to south Delta pumping facilities or otherwise modifying the Delta's flow regimes.

Decreased flows and water quality may also have adverse affects on the economy of the Delta's communities, which are highly dependent on the quality of water in the Delta. Agriculture, recreational boating, recreational and commercial fishing, and industrial water needs would all be negatively affected by a decrease in water quality in the Delta. In addition, the value of many private properties and residential communities located throughout the Delta will likely be adversely affected by a decrease in flow and water quality. Although CEQA and NEPA do not require specific economic analysis, CEQA does require an analysis of housing impacts. The EIR & EIS should analyze the potential effects of large-scale water diversions on agricultural, recreational, residential, industrial, and other business uses within the western portion of the Delta.

#### **Decrease Flows and Resultant Increase in Sediment Deposits:**

As mentioned above, one result of re-plumbing the Delta will be decreasing dry weather flows. This, in turn, will result in an increase in the deposition of sediment. This increased sediment deposition will have many significant negative impacts, including increased costs to maintain shipping channels, increased costs to maintain private and public marinas, and increased safety risk to boaters due to additional submerged deposits and exposed sand bars.

Although it is unlikely that flows associated with large storm events would be significantly affected by the re-plumbing of the Delta, the increased flows caused by these events will be impeded by accumulated sediment, and would require an increase in hydraulic head to flush through the Delta system and out to San Pablo Bay. This would increase the depth (height) of flood waters and will exacerbate pressure on flood control facilities and levee systems, resulting in increased probability of failure of levees and flood control systems, hereby increasing risks to both lives and properties. In addition, as a result any increase in flood water heights, Special Flood Hazard Areas (SFHAs), as mapped by the Federal Emergency Management Agency (FEMA), will likely expand. This will add additional properties to the SFHAs, which will increase costs to property owners for compliance with local floodplain regulations including the requirement for mandatory purchase of flood insurance. The PWD requests that the EIR & EIS carefully analyze the potential impacts that any proposed water conveyance

bypass system or conveyance modifications will have upon sediment accumulation in the western Delta, and the impacts that the additional sediment will have upon shipping routes, recreational uses, hydrologic characteristics, public services, flood hazards, and the potential for levee and other flood control structural failures.

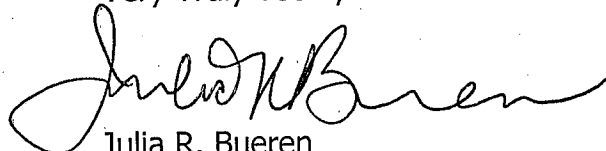
### **Decrease in Flows and Resulting Increase in Salt Water Intrusion:**

Due to the decrease in Sacramento River (and overall) flows, salt water from San Francisco Bay will likely encroach further up-stream into the Delta. More extensive salt water intrusion will severely impact residents, farmers, and other businesses dependent on local Delta sources for their water supply. Increased salinity will also have significant detrimental effects on the aquatic life currently supported by the Delta, and will most likely result in decreases in populations of already threatened aquatic species and may result in an increase in non-native invasive species. The likelihood of increased salt water intrusion into the Delta needs to be analyzed and mitigated.

In addition to these comments, please also refer to the March 24<sup>th</sup>, 2008 letter from the Contra Costa County Water Agency to the Federal agencies regarding the NOI for the BDCP. This letter provides additional comments relative to this project and the NOP.

Thank you again for the opportunity to comment on this NOP for the Bay and Delta Conservation Plan EIR & EIS. We strongly believe that the above discussed issues should be addressed in the EIR & EIS plan. If you have questions with regards to this letter feel free to contact Rich Lierly, our Floodplain and Watershed Manager at (925) 313-2348 or email at [rlie@pw.cccounty.us](mailto:rlie@pw.cccounty.us).

Very Truly Yours,



Julia R. Bueren  
Public Works Director  
Contra Costa County

RL:jj:lz  
G:\FidCti\NPDES\BDCP\Nop comment letter 5-13-08 final.doc

c:      Members of the Board of Supervisors  
         J. Crapo, CAO  
         M. Avalon, Deputy Director, Public Works  
         G. Connaughton, Flood Control, Public Works  
         T. Jensen, Flood Control, Public Works  
         R. Lierly, County Watershed Program, Public Works  
         R. Goulart, Community Development Department  
         D. Freitas, Clean Water Program  
         M. Wara, Administration